Marlbank Recreation Association P.O. Box 278 Yorktown, VA 23692 April 12, 2004

Mr. James McReynolds County of York Administrator P.O. Box 532 Yorktown, VA 23690

Re: Application for Tax Exemption under VA Code 58.1-3651

Dear Mr. McReynolds:

The cited statute is entitled "Property exempt from taxation by classification or designation by ordinance adopted by local governing body on or after January 1, 2003." A copy of this statute section is attached.

The Marlbank Recreation Association, by unanimous action of its board, requests that the County grant it a property tax exemption for the year 2004 and beyond. The properties are:

- 1. Number 24-00-00-281A 115 Old Landing Road
- 2. Number 19C-05-0L-017 107 Old Landing Road
- 3. Number 24-00-00-281B 111 Old Landing Road
- 4. Number 19C-01-0E-017A 107 Harbour Drive

We qualify by providing benevolent, park, playground, and community service activity through MRA actions and activities. We provide a service to the Marlbank Farm community which is nearly identical to many homeowners associations which are tax exempt under the Code of Virginia section 58.1-3284.1. We have not qualified because we were founded prior to the statute's enactment in 1985 and therefore, did not have automatic membership qualifications deeded in the Marlbank Farm properties. However, the Marlbank Recreation Association deed is restricted so that asset obtained by disposal of any of its property accrue back to the local residents, not the organization.

The MRA relates to the questions for consideration specified in 58.1-3651 section b) as follows:

- 1. We are a 501(c)(7) organization. Attached is the IRS Form 990 for 2002. Parts III states specifically the type of program services which we provide and by which we quality. We are incorporated in the State of Virginia.
- 2. We don't have a Virginia State Liquor license but for private adult parties for members and guest, we do provide alcoholic beverages.
- 3. No officers or directors are salaried or paid for their services although we do reimburse for out-of-pocket expenses. A CPA accountant provides payroll services at cost.

REGEOVED

APR 1 6 2004

COUNTY ATTORNEY
ORK COUNTY, VIRGIMM

- 5. Form 990 Part III provides a description of our program service. We provide activities for youth and adults in the neighborhood. The properties the building, pool, playground, ball field, tennis courts and pier slips provide services duplicated in part by the county. They reduce the county's burden while enhancing county's property values.
- 6. Our operating policies restrict political activity. On a nonpolitical basis, we do provide meeting space for political organizations.
- 7. Other relevant factors:
 - a. Our bylaws contain a nondiscrimination clause and has since the 1970s. We accept as members, as our deed from Mr. O'Hara requires, any residents of Marlbank Farm who wish to join as a full, social or community members. We accept associate members from outside the Marlbank Farm community who wish to participate in summertime swimming pool and swim team activities.
 - b. Quoting from Code of Virginia 58.1-3284.1 which established tax exemption for automatic membership corporations (read homeowners associations):

"All real property used for open or common space pursuant to this section shall be construed as having no value in itself for assessment purposes. Its only value lies in the value that is attached to the residential or commercial property which has a right by easement, covenant, deed or other interest."

The MRA's real value to York County is by providing services which enhances the property attached to it - the Marlbank Farm and the York community to which we make our services available. Unlike automatic membership corporations, we must continue to provide a valuable service or cease-to-be.

We request the County of York to favorably consider this application. We will be glad to supply any additional information needed in your deliberations.

Sincerely yours,

Thomas Geary, MRA President

Thomas & Glary

cc: James Barnett, County Attorney
Marycarol White, Dir. Fin. & Man. Services
Walter Zaremba, Board of Supervisors

att: VA Code 58.1-3651

MRA IRS Form 990 - Year 2002.

Form 990

Return of Organization Exempt From Income Tax

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Intel is then a prosporation for adheren? Do very 11 to Section 50100003 emporizations and 4847 still remember charitable Accessor centing inusts must attach a completed Schedule A (Form 90) of 980 EX. HID IT Yes "erior recriber of efficient > O HID Are all afficient violation? Yes Cities S WHILE WWW HARLBANK FARH COH di "No." elisch a list. See inchrettern i HIN IN COMPANIES AND PROPERTY OF THE PARTY O Check have be 1 if the argumentant's price recently and housely and more star \$55,000. The organization need not life a intern edit life IRS. Lot if the organization recent of Start Red Receipts in the most of arguest life is intern vertical facilities and the property and arguest is complete return. organish commodity a group camp? Thes Disi Enter 4-days GEN >
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to attach 3ch, 8cl Fearn 900, 990-EZ, or 900-PCI. Gross recepts Act times 60, 60, 50, and 600 to time 62 + // 606-/8 to attach 5ch, 8 (Form 60), 990-EZ, or 900

Fact 1 Revenue, Expenses, and Changes in Not Assets or Fund Balances (See page 17 of the instructions.) Contributions, gifts, grares, and similar amounts received: 20621 78 a Tived cubic support 16 b. Indirect public support 10 e Government contributions (grants) 20621.78 13041.78 66970.00 1276.62 Total jadd three to through 10 (cash 5 20 Je21 78 remain 1 ... 10 2 2 Program service megaze inclusing government has and contracts thom Part VII, the 93) 3 Membership dues and assessments 4 Interest on sevings and temporary cash investments b 5 Dividends and interest from securities 6a Sa Gross renta 50 Lase: fental experses Not rental income or floati (subtract line 6h from line 6a) . P. Dihar breestment moome idescribe (A) Securities MI Dire Sa Gross amount from sales of assets other 0a then loventory 하 to 1,655, cost or other traces and sales expenses. Be c Gain or (tops) (strach schedule) eď d Mot gain or florel (combine time Bc, columns (A) and (E)) 9 Special events and activities lattach schedule) a Gross revenue (not including \$. 9400,00 9a peranbetions reported on line 1al 4077.00 95 b Less rivect expenses other than fundralising expenses 5342, 97 90 c. Net income or (loss) from special events (subtract line 9b from the 9a) ton Gross sales of inventory, less returns and allowances 100 105 to Lega post of goods sold 10c Gross ground or posed from sites of inventory (attach exhadries) buildness the 10th from line 10th. 11 Other reversus (from Part Vii. line 103) Total revenue (edd) thes 1d, 2, 3, 4, 5, 5c, 7, 8d, 9c, 10c, and 11) 12 12 13 Program services (from time 44, column (B)) 13 14 Management and general from tire 44, column (C) 14 15 Fundadaing from and 44, ediamn (DI) 15 10 Payments to efficies lattach schedule) . 18 Total expenses (said lines 16 and 44, column (A) 17 17 18 Excess or Melicia for the year (subtract than 17 from line 12) . おいって 111 19 Net assets or fund betances at baginning of year thorn into 73, column (A)) . 19 Owner changes in net assets or land balances (attach explanation) 20 2 43376.64 Nel ensets of hand balances at and at year &combine lines 18, 19, and 20)

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574	Land, buildings, and equipment, basis	57a		
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58	Other assets Ideacron >		SB SB	· · · · · · · · · · · · · · · · · · ·
59	Total assets laud lines 45 tresugh 58 (must	equal line 74) .	146898.439	43376.6
60	Accounts payable and account expenses		60	
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6.2	Deferred recenus ,		52	
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1	schedulel.		63	***************************************
63 64a	Tax-example bond liabilities (affact) schedule)	1	- 64a	
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65	Other liabilities (describe - OAL)K	LOAM	144169pg 65	143,371.
56	Total Sabattles laid lines 60 through 55)		66	
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67 88 89	Temporarily restricted		58 59	
	Permanently restricted		106	
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5 70	Capital stack, frust principal, or current fund	and an imment that	71	
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ŧ	Total liabilities and not essets / fund balance	and the same of the same Time	296067.474	

Form 990 is available for public inspection and, for some people, serves as the primary or sore source of internation stock a conscious organization. How the public perceives an organization in such cases may be determined by the reformation presented on its return. Therefore, please make sure the return is complete and accurate and fully describes, in Port III, the organization's programs and accomplishments.

Part IV-A	Reconciliation of Revenu	A YEAR ALL	tited	2011111111	Reconciliation	e E		Page
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	390 (2002)	Page	
Par	Other Information (See page 27 of the instructions.)	Yes N	
76	Did the organization engage in any activity not previously reported to the IRS? If "Yes," attach a detailed description of each activity .	78 V	_
77	Were any changes made in the organizing or governing documents but not reported to the IRS?	77	/
	If "Yes," attach a conformed copy of the changes.		W, -
78a	Did the organization have unrelated business gross income of \$1,000 or more during the year covered by this return?.	78a 💆	_
	If "Yes," has it filed a tax return on Form 990-T for this year?	78b	
79	Was there a liquidation, dissolution, termination, or substantial contraction during the year? If "Yea," attach a statement	79 1	J
	Is the organization related (other than by association with a statewide or nationwide organization) through common	(UIBAIII)	M,
	membership, governing bodies, trustees, officers, etc., to any other exempt or nonexempt organization?	80a	m
ь	If "Yes," enter the name of the organization ▶		<i>M</i>
	and check whether it is exempt or nonexempt.		<i>W</i> .
81a	Enter direct or indirect political expenditures. See line 81 instructions [81a]		9p.
, b	Did the organization file Form 1120-POL for this year?	81b V	_
82a	Did the organization receive donated services or the use of materials, equipment, or facilities at no charge		/
	or at substantially less than fair rental value?	82a V	777.
ь	If "Yes," you may indicate the value of these items here. Do not include this amount		/////////////////////////////////////
	as revenue in Part I or as an expense in Part II. (See instructions in Part III.) [82b]	83a	m
83a	Did the organization comply with the public inspection requirements for returns and exemption applications?	83b	—
þ	Did the organization comply with the disclosure requirements relating to quid pro quo contributions?	84a	
84a	Did the organization solicit any contributions or gifts that were not tax deductible?	annsama	Th.
b	If "Yes," did the organization include with every solicitation an express statement that such contributions	84b	<i>911.</i>
	or gifts were not tax deductible?	85a	
85	501(c)(4), (5), or (6) organizations. a Were substantially all dues nondeductible by members?	85b	_
ь	Did the organization make only in-house lobbying expenditures of \$2,000 or less?		<i>77</i>
	received a waiver for proxy tax owed for the prior year.		<i>M</i>
_	Dues, assessments, and similar amounts from members		
	Section 162(e) lobbying and political expenditures		<i>M</i>
	Aggregate nondeductible amount of section 6033(e)(1)(A) dues notices 85e		<i>M</i> .
	Taxable amount of lobbying and political expenditures (line 85d less 85e) 85f		M.
	Does the organization elect to pay the section 6033(e) tax on the amount on line 85f?	85g	
h	if section 6033(e)(1)(A) dues notices were sent, does the organization agree to add the amount on line 85f to its	1 1 1	
	reasonable estimate of dues allocable to nondeductible lobbying and political expenditures for the following tax	}	
	year?	85h	m
86	501(c)(7) args. Enter: a Initiation fees and capital contributions included on line 12 . 86a 20621.78		<i>M</i>
b	Gross receipts, included on line 12, for public use of club facilities		<i>M</i>
87	501(c)(12) orgs. Enter: a Gross income from members or shareholders		<i>M</i>
ь	Gross income from other sources. (Do not net amounts due or paid to other		<i>W</i>
	sources against amounts due or received from them.)		000
88	At any time during the year, did the organization own a 50% or greater interest in a taxable corporation or		
	partnership, or an entity disregarded as separate from the organization under Regulations sections	88	$\overline{}$
	301.7701-2 and 301.7701-3? If "Yes," complete Part IX	<i>ÜÜDÜÜÜ</i>	M.
898	501(c)(3) organizations. Enter: Amount of tax imposed on the organization during the year under: section 4911 ▶; section 4912 ▶; section 4955 ▶		<i>M</i> .
_	501(c)(3) and 501(c)(4) orgs. Did the organization engage in any section 4958 excess benefit transaction		
U	during the year or did it become aware of an excess benefit transaction from a prior year? If "Yes," attach	1	
	a statement explaining each transaction.	896	
c	Enter: Amount of tax imposed on the organization managers or disqualified persons during the year under		
	sections 4912, 4955, and 4958		
d	Enter: Amount of tax on line 89c, above, reimbursed by the organization.		
90a	list the states with which a copy of this return is filed ▶		
ь	Number of ampleyees ampleyed in the pay period that includes March 12, 2002 (See instructions.) 90b	606 1111	777
91	The brooks are in care of - FDWIV C. FOUDRIA Telephone no 1.3.11	$\sigma_{\mathcal{I}}$ x $x x x$	87
	Located at V QUI LOKKULE OF KOULD JOB CONTROL TO THE TANK TO THE T	(.∀	·
92	Section 4947(a)(1) nonexempt charitable trusts filing Form 990 in lieu of Form 1041—Check here	*	ш
	and enter the amount of tax-exempt interest received or accrued during the tax year , , . > 92	Form 990 (20	0021
			5

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Note:	Analysis of Income-Producing I Enter gross amounts unless otherwise		siness Income		tion 512, 513, or 514	(E)
indica	ited.	(A) Business code	(B) Amount	(C) Exclusion code		Related or exempt function income
	Program service revenue:			†		762.20
a b	SOCIALS & ACTIVITIES					12285
¢						
e					·	
f	Medicare/Medicaid payments			ļ		
g	Fees and contracts from government agenci-	es				
34	Membership dues and assessments , .					66,910.
95	Interest on savings and temporary cash investmen	its				1276
96	Dividends and interest from securities	· warmannan		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	numman and and and and and and and and and a	0
7	Net rental income or (loss) from real estate:					
a	debt-financed property					
b	not debt-financed property					
	Net rental income or (loss) from personal propert			-		.,
99	Other investment income	1		+		
	Gain or (loss) from sales of assets other than invento	* 1		01	172 Andr	
	Net income or (loss) from special events .			26	5322.97	ļ
32	Gross profit or (loss) from sales of inventory	.		 		01175
	Other revenue: a DLUC KEUTAL			25	1650.00	
ь	PLER REWIAL	· }	····	 		560
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14	Subtotal (add columns (B), (D), and (E))			<i>VIIIIIIIII</i>	The state of the s	843344
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)5	Total (add line 104, columns (8), (D), and (E)		O David I		.▶ 9	1301,31
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